CHAPTER-II

MEANING AND IMPLEMENTATION OF APARTHEID
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In fine South Africa is today an independent state yet the inhuman practice of apartheid exists within the state and there is being waged a fierce and unrelating struggle for liberation. It is a system of colonialism. The difference between South Africa and other systems of colonialism is that in the latter countries the rulers and ruled live side by side in the same territory. But here they are segregated on the basis of the colour and race which is used as the dividing line between the residences of the whites and their subjugates. The white group dominates in all spheres and all political and economic power are in the hands of the whites. The black majority is deprived of democratic rights. The supporters of the policy consider it to be a policy of "separate development" of both the races. They claim that it provides equal opportunities to both the races in their respective areas. But in practice, there is a rule by terror and the majority of the population is treated like slaves. These contradictory aspects of South African System attract the attention of the world scholars. However this system is the official policy of the Nationalist party which came to power in 1948. It is not the purpose of this chapter to describe the history of the pernicious policy of apartheid though our efforts would be to
concentrate on defining the word apartheid how it is implemented and how it operates at various levels.

The system of apartheid in South Africa is based on the principle of inequality. Its chief aim is to keep the white supremacy safe for ever. It is a system in which the non-whites are denied an opportunity to share power with white rulers in political and economic sphere. The South African Communist party describes this policy as the combination of imperialism and colonialism. The system contains all the features of an advanced capitalist state in its final stage of imperialism and at the same time retaining the features of a colony. Thus, the combination of imperialism and colonialism determines the nature of recist regime of South Africa.

The world "Apartheid" was first used in a leading article in Die Burger on March 26, 1943. The term was again used in a leading article in Die Burger on 9 September, 1943 in which the recognised Afrikaner standpoint of apartheid was mentioned. On 25 January 1944, Dr. Malan was the first to make use of the word in Parliament when he described the nature of the republic. By this policy he had envisaged to ensure "the safety of the white race and of Christian Civilization by the maintenance of the particle of apartheid and guardianship".¹

¹ Quoted in Apartheid Documentary Study of South Africa (Edgar H. Brooks) 1974, p.43.
The term apartheid was widely used as a slogan in general election of 1948. It helped a great deal to bring the National Party in power. In National Party's programme for the 1948, Malan said, "It must be appreciated at the outset that 'Apartheid', 'separation' segregation or differentiation whatever the name be given to the traditional racial policy of South Africa, is part and parcel of the South African tradition as practised ever since the first Dutch Settlement at the Cape in 1652 and is still supported by the large majority of White South Africans of the main political parties⁹. Mr. Paul Sancer, who was Chairman of the Nationalist Party defined this term as follows:

"Apartheid is a political tendency or trend in South Africa based on the general principles of a differentiation corresponding to differences of race and or colour and or level of civilization as opposed to assimilation of the maintenance and perpetuation of the individuality of the different colour groups of which the population is composed; and separate development of these groups in accordance with their individual nature, traditions and capabilities, as opposed to integration".

The term 'Apartheid' appeared in English language after the War. It was adopted untranslated in English language most probably because of the intention to suggest

something so bad that there was no word at all in English for it. In African Dictionary the term was defined as "a principle of the maintenance of the identity of the different colour groups and separate development"\(^3\).

Apartheid is a Dutch word which means 'apartness' or 'segregation'. The exponents of this policy claimed that they were propagating the traditional policy of Afrikanerdom and they wanted to apply the policy to the full. It has been described as what one can do in the direction of one's own ideal. For natives as well as for the Europeans complete separation would have been the ideal. Both have equal opportunities for the development according to their tradition, culture and history. If the native had not had anything to do with the Whites, if he were capable of managing his own affairs, it would also have been an ideal state of Affairs; and in that case it would have done no harm to anyone; it could do only good. The Apartheid aims at both permanent and complete separation of the two major racial groups namely 'whites' and 'blacks'. It conceives that the non-white groups like the white, will receive 'equal' opportunity to develop their own institutions, thereby avoiding conflicts with the white population over distribution of resources. To justify their policy, the supporters of the policy of Apartheid argue that inequality is law of nature.

Apartheid is only a form of this natural law. It is adopted to enable both the races to develop themselves to their own ideals and separation is must to maintain peace in the state.

It is also justified on the ground of the Commission's observation. The latter found dangers of grave intensity in the policy of integration which tends to intensify racial friction and animosity. The only alternative is to promote the establishment of separate communities in their own, separate territories where each had the fullest opportunity for self-expression and development.

The clear cut choice was then the separate development of the European and the Bantu.

Thus, the whole ideology of 'Apartheid' is based on the following suppositions:
(a) Apartheid can not and may not involve 'complete' territorial separation.
(b) White supremacy over the Union of South Africa as a whole must be maintained.
(c) Multi-community development may not go further than partition in Whites, Africans and possibly other territories, which might eventually reach a certain degree of autonomy.
(d) Rights existing for the Africans in the present

economically integrated South African society have to be transferred to and concentrated in their own areas.

(e) The development of those areas and the enjoyment of those rights have to take place under the leadership and control of the Whites.

Thus, Apartheid can be defined as a policy of separation or segregation to keep the white supremacy safe. Throughout the history, such ideological weapons have been found by the classes who tried to exploit and dominate others by convincing them that inequality is inevitable.

In South Africa white population's status as a superior race was cultivated systematically and it had become a real political and socio-economic force.

Racialism emerged as a new basis for stratification and rationalized the scandalous inhuman exploitation that had turned Africa into an arena for the commercial hunting of black skins.

Apartheid is a new name for an old process of exploitation. It can also be defined as a form of racialism that bears the stamp of Afrikaners who accepted the idea of inequality between the Whites and Blacks. It has been practised by the Nationalist Party as a process.


7. Ibid. p.223.
of separate development of both the races. Apartheid in Nationalist Party's programme was based on the following principles:-

The party desired to afford the non-European races the opportunities of developing themselves in their own fields, according to their natural ability and capacity. It desired to assure them of fair and just treatment in the administration of the country. It was emphatically opposed to any mixture of blood between the European and the non-Europeans races.

It further declared itself in favour of the separation between European and Non-Europeans in general in the residential and, in so far as it may be practicable, also in the industrial field.

Further, it desired to protect all sections of the population against Asiatic immigration and competition. Among other things this was made possible by prohibiting further intrusions into their fields of activity, as well as by an effective scheme of Asiatic segregation.

It is clear from the above principles that Africans were to assist in the development of the country and there would be protection for both the races.

The concept of apartheid formulated by South African Bureau for Racial Affairs differed from that of Nationalist Party. SABRA wanted to carry through as far as possible 'verticalization' of the colour bar. The
Nationalist party did not want to accept 'Verticalization' as a fundamental aspect of 'apartheid'. It wanted to implement this policy as a plan for separate development of the two racial groups.

De-Kiewiet defined that apartheid in its various forms was a transfer of the responsibilities of the living world to the dream world of solved problems. The basic promise of apartheid was that the natives could seek no remedies and gained no citizenship within society, but only within their own segregated society.

Apartheid was, therefore, more than mere racial discrimination. It was a strict ideology of White supremacy, racial oppression and exploitation. The white race was vitally interested in the preservation of the existing pattern of social relations and in administering the affairs of society.

Viewed in this light apartheid was only a form of racial discrimination. In fact, racial discrimination had changed its name in various circumstances. To quote Great Frederick Douglass:

"Slavery has been fruitful in giving itself names. It has been called 'the peculiar institution', "the social system", and the "impediment". It has been called a great

many names, and it will call itself by yet another name, and you and I and all of us had better wait and see what new form this old monster will assume".9

Apartheid was presented as an ideology by the Afrikaner forefathers rather than in terms of the interest groups, economic processes and institutional structure of South Africa as a "capitalist society". Now the rulers favoured a new name for apartheid viz. 'Plural democracy'. Apartheid was a result of antagonism created by the end of the era of white domination on a world scale. It was an attempt to establish their domination on South Africans and was an ideology based on race differences. Leo-Kuper explained the theory and practice of Apartheid thus:

"Apartheid, in theory, is based on differences not on inferiority. Race differences are relatively permanent, or at any rate, long enduring, but discrimination based on race invites world criticism—-—. The dilemma is that of using the differences between the racial groups in a form acceptable to world opinion on the one hand, and in such a way as to permit the perpetuation of the status quo on the other — a challenging dilemma"10.

Thus, there was a great difference between theory and practice of apartheid in South Africa. Theoretically, it

was based on eventual separation of the two major racial groups namely, "whites" and 'blacks'. It implied that the blacks would have equal opportunities to develop their own institutions, thereby avoiding conflicts with the white population over distribution of resources. It was based on the plea that race differences were natural. This policy of apartheid was implemented to enable both the races to develop themselves according to their own culture and tradition. But practically, the South African Government concealed naked racism in the concept of apartheid. In consequence the natives were deprived of rights having no share in the political power. They were like the slaves. They were only for the economic development of whites. When the people awakened from that delusion of Hitler, the Nationalist Party under Verwoerd coined the ideology of apartheid. As an ideology it was more terrible in its consequences than its predecessors. In the name of 'separate development' or 'plural democracy' it cannot eradicate the reality of oppression.

Implementation of Apartheid

In the preceding pages we have noted that in essence apartheid is based on the principle of inequality. It was a system in which the non-whites were having no opportunity for self-expression. A huge net work of apartheid laws, rules and regulations existed. These were amended at various levels to strengthen the system. The apartheid policy, the policy of 'segregation' or
separation, whatever the name may be given to this policy, had been practised since 1910 when the white rulers united the four provinces into a Union and called the united territories as the Union of South Africa.

In 1912 Hertzog became Minister for Native Affairs in the South African Government. He adopted the policy of 'segregation' in 1912. Since then, the white government left no stone unturned in implementing its colour policy. In fact, the native policy was laid down by the South African Native Affairs Commission Report of 1905. Its recommendations had been used by successive governments. The commission report stated that the time had arrived when the lands dedicated and set apart as locations, reserves, or otherwise should be defined, delimited and reserved for natives by legislative enactment. 11

According to this policy of 'segregation', the natives would have their own areas in which they could enjoy the equal opportunities and would develop themselves according to their own tradition. The natives would, go out of work for the whites in white areas; under the policy of 'segregation' the blacks were kept apart from the whites as far as possible. They viewed natives as having no values and morality and thus inferior. Fanon noted:

"Native society is not simply described as a society lacking in values. It is not enough for the colonialist to

affirm that those values have disappeared from or still better never existed in the colonial world. The native is declared insensible of ethics; he represents not only the absence of values, but also the negation of values. He is, let us dare to admit, the enemy of values, and in this sense he is the absolute evil. All values, in fact, are irrevocably poisoned and diseased as soon as they are allowed in contact with the colonized race." 12

Thus, after the subjugation of Africans to the whites, the Africans were declared savages and inferior. The fundamental principle of territorial segregation was embodied in the interim Natives Land Act of 1913. An effort was made by the whites, through this act, to create a system in South Africa which would permit the land to be cultivated by the blacks though it would be governed only by the whites.

The act defined a "Scheduled African Areas" all existing African reserves and locations in the rural areas of the Union as well as rural land privately owned by Africans a total of 50.7 million Morgen but only a bare 7.3 percent of the total land area of the country. Africans could not acquire land outside of the Scheduled African Areas from other Africans, unless they had the consent of the Governor-General. Concomitantly only Africans could not acquire any land or interest in any

land within a scheduled African area unless the owner had the approval of Governor-General. A further 5.7 percent of the total land area was to constitute "released" land, where Africans were free from the general prohibition on buying land. But the white raised a voice against this system. They argued that they would not be able to obtain farm land for themselves and labourers would not be provided for them. The politicians promised that the actual release of these areas would be contingent on the abolition of the voting rights held by Africans in the Cape. Consequently, the Africans who were already land starved, were deprived of the right to purchase and acquire land.

The 1913 Land Act abolished farming on the half, a system whereby Africans who owned their own ploughs and oxen agreed to cultivate, graze stock and live on a white land owner's property in return for giving him half the harvest. The abolition of this system uprooted thousands of Africans forcing them to wander around the country without giving them any place to establish new homes.

Thus, the Native Land Bill of 1913 was the first legislative enactment embodying the principle of territorial segregation and the separation of land rights in South Africa. All the areas occupied by the Natives

14. Ibid. p.82.
were designated as "reserves". They could not be acquired or used by the whites under the law. The Act had long range effects. Wilson noted as follows:

"In the longer term, the Act served well to fuse those idealists, who felt that partition alone was a realistic means of protecting Africans from total domination by Whites, with those more selfish and more numerous people who wanted economic integration, without the uncomfortable social and political consequences. For the new law set aside sufficient land to tantalize the idealist without providing enough to enable all Africans to make their living there and so to be able to exist without working for the white man on his terms. In later years, much political dexterity was displayed in using the reserves to maintain a policy which simultaneously won the support of idealists without alienating the confidence of those voters for whom Africans were primarily units of labour whose presence was essential but only tolerable as long as they ministered to the needs of the whiteman" 15.

The Native Land Act of 1913 regarded the Natives as "Reserves". They become labourers for the mines, towns and white farmers as they had lost their access of land. So through this Act, a great class of Black workers was created on the farms and in industries. The impression was created that white society had won a special position

for itself. L.N. Neame noted:

"If in South Africa today they could pass a law separating the whites from the coloured, they would be doing an unestimable service not only to the future of the whites but to the future of the Natives also" 16.

In 1920 the Native Affairs Act was armed with the provision for Native Council and contained hints of the eventual disenfranchisement of the Cape Africans. In 1922 the 'Native Taxation and Development Act' forced all African males between the age of eighteen and sixty-five to pay a poll tax of £1 per annum. Every male having a hut in the reserves was to pay a local tax of ten shillings. This Act was to increase economic pressure on the African peasants.

After Botha, Smuts became Prime Minister. He also underlined the need for "segregation". As a result of this policy, the 'Urban Areas Act' was passed by South African Parliament in 1923. It had the effect of abolishing the rights that Africans had in freehold land in Johannesburg and other urban areas. It went on to declare that they could not be granted the same place in urban life and industry as whites. The Act had given local authorities control over the movements of the Africans. In 1924 the picture of South Africa had changed as the party led by Smuts

was defeated in election and the Governor General asked Hertzog to form the Government. After becoming Prime Minister, he took the Portfolio of the Native Affairs in his own hands. He passed many other laws also with a view to providing for stricter application of his Native Policy.

The Native Administration Act of 1927 put Africans outside the rule of law. It thrust them under the discretionary authority of the Governor-General and his retinue of white officials of the Native Affairs Department.

In 1932, the Native Service Contract Act was passed. It sought to oblige land owners in the Transvaal and Natal to choose between turning their African squatters into wage labour tenants, subject to the penal sections of the Master and the Servants Laws, or sending them to a declared native area. Land owners who could not prove that all their tenants had rendered a minimum of 180 days of Labour a year could be deprived of those considered surplus to their needs.

In 1936 Parliament passed the Hertzog Bills the Representation of Natives Act and the Native Trust and Land Acts. The first took away the franchise that Africans in the Cape province had been given by the Act of union. The Governor General was made the Supreme Chief of all Africans. They were given three white representatives to Parliament and a representative council to take their
grievances to it. The second Act provided machinery for the acquisition and development of the 5.7 percent of the 'released land promised in 1913 for African subsistence when not employed in the 'White' economy. The principle of the 'Native Trust Act' thus went far beyond those of the 1913 Land Act. It forbade sale or lease of land outside the scheduled areas to Africans. The 1936 Act established once and for all that the conquered land could not be acquired by Africans either by commercial purchase or political means. Consequently, the Africans had to work as labourers because of land starvation. The various Acts had been passed to force the 'Natives' to work for the Whites. They were deprived of the land and right to work. According to Robert Magubane, "The struggle for land, which had lasted for three centuries was now drawing to a close. The white settlers had won. The victims of conquest were dispossessed and reduced to permanent "hewers of wood and drawers of water"."  

Hertzog introduced a Sedition Bill in the parliament to check the incitement of the natives against the government. In the case of whites the bill was to be applied only in 'every extreme cases'. For Hertzog wanted to keep the coloured people on the side of whites. So he argued that in the case of the coloureds there could be no talk of segregation. However, unexpected events beyond 

the borders of the Union led to a new alignment of parties. Consequently, Hertzog and Smuts formed a coalition government. In 1932 the United Party came into power with Hertzog as Prime Minister and Smuts as Deputy Prime Minister. Hertzog continued to strengthen his policy of "segregation". In 1939 the Trading Act was passed. It laid down that an Asiatic must apply for a licence to carry on business or trade or to remove his business to other premises. While these measures were taken to enforce Hertzog policy of "segregation" the first world war had broken out in Europe. Hertzog introduced a resolution in the parliament envisaging that South Africa should remain neutral in the war. But it was not passed because of Smuts' amendment to the resolution in favour of his country entering the war. Hertzog had to resign and Smuts became the Prime Minister. But soon Malan replaced him as the leader of National Party.

In fact, the policy of apartheid was introduced by the ruling Nationalist Party in 1948 when it came to power and continues to be in power till today without any break. Gradually, the noose of the brutal apartheid laws and regulations had been tightened over the necks of blacks.

In fact, apartheid is a purposeful system of racial containment. Its operational components fall into four categories:

(a) racial prejudice and discrimination;
(b) racial segregation and separation;
(c) economic exploitation of natural and human resources;
(d) legal administrative and police terror\(^\text{18}\).

Racial discrimination is an act - a measure taken to the disadvantage of its victims\(^\text{19}\). Racial segregation and racial discrimination denote distance among peoples socially and morally. Economic exploitation of natural and human resources entails direct and rigorous utilization of land, mineral sites and labour for the attainment of Gross National Product. It provides for profitable returns for domestic and foreign investment. It thus attracts capital for a fuller economic development of Republic. Legal administrative and police terror supplies the apartheid system with 'muscle', sometimes persecutory, sometimes carthaginian. Like violence in many political experiences, it starts as a necessity in the eyes of the authorities. It becomes a specific tactic at a specific moment in a specific circumstance only to acquire a long life and a commanding position in its own rights\(^\text{20}\).

Various tools and techniques have been fashioned in the form of various acts to implement the above mentioned functions. Some of the various rules and regulations to strengthen apartheid are illustrated by the following acts

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20. Julion R. Friedman: Op, cit, p. 32
which in case of Whites are designed to entrench their power and privileges. In the case of non-white groups, the laws have been designed to maintain them without political, economic, social rights. The first step in the process is the classification of the population.

The population of South Africa consists of several racial, national and tribal groupings. The biggest group consists of the African people who constitute approximately 70% of the country's population of 18 millions. Then, there are the coloureds who include peoples of mixed descent Asians include mostly people of Indian origin and a few Chinese. The European group consists of people from different continents who are regarded as possessing a "White skin". The ultimate objective of this policy was to place the three main population groups: whites, coloured and blacks - in their own areas where they would eventually conduct their affairs.

Thus, the population in South Africa has been classified into three categories under the Population Registration Act of 1950. The classification of the population has far-reaching effects on their lives. It determines the extent or absence of rights; rights of residence, education and other facilities. The marriages of persons, whom he may associate with, what kind of jobs he may perform, what contacts he may have, whether he may join a trade union or not: every thing relating to the
development of a person will be decided according to the classification done by this law.

Further pass laws had been passed to restrict the African's freedom of movement in urban areas. Pass laws system is one of the key instruments of apartheid and of the system of economic exploitation of Africans. A pass is a document, required for lawful movement into, out of or within a specified area. It must be produced on demand by a specified person, failure of production constituting an offence. Such laws apply to the Africans and to an extent, to Indians who may not move from province to province without permits. 21

According to the provisions of this law, every African over the age of sixteen must carry with him a pass book all the time. It contains all the information about the holder such as his name and his residential address, ethnic classification; the name and address of the labour Bureau where he is registered; his employer's name, address and his signature for every week; whether he has paid his taxes; concessions, privileges, if any, granted to him, his driving licence number and his photograph. Pass books also contain the information whether or not the holder has right to be in the area where he has been found by the police. All this information is also kept in a computerized record system in Pretoria with terminals in

all the main centres of the country\textsuperscript{22}.

Under the Natives Act of 1952 (Abolition of passes and co-ordination of documents) the National Party Government replaced passes of the Africans by 'reference books'. The rest of the population has been issued identity cards. The reference books contain permits to remain in an urban area, tax receipts and other particulars. Africans found outside the reserves without permits are taken to courts for fine or imprisonment and expelled. The pass system has been extended to African women from February 1, 1963. All African women were also forced to carry "reference books". Africans are subjected to severe punishments for even accidental misplacing of passes. Africans has to produce pass-book on demand by a policeman or by any other authorized official. A person, unable to produce his pass-book is guilty of a criminal offence punishable with a fine of upto R.20 and imprisonment of one month\textsuperscript{23}. An African who does not have, or can not produce, his book that is in order faces a set of options: fines that most are not in a position to pay; imprisonment or direction through the labour bureaus to badly paid work (usually on farms); or forcible removal to Bantustan. Those who go to prison may well spend the period of their sentence working for a private employer.

\textsuperscript{22} Apartheid; The Facts (London, International Defence and Aid Fund, 1983) p. 43.

\textsuperscript{23} Apartheid in Practice (New York, U.N. Publication), 1976, p. 1
usually on a farm with its own prison\textsuperscript{24}.

The Africans had staged numerous protests against the pass system. They regarded the 'pass-books' as 'badges of slavery'. A large number of people had been arrested and prosecuted for the violation of Pass Act. The following statistics show the figures.

<table>
<thead>
<tr>
<th>No. of persons arrested or prosecuted</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>373,570</td>
<td>1974-75</td>
</tr>
<tr>
<td>382,858</td>
<td>1975-76</td>
</tr>
<tr>
<td>297,374</td>
<td>1976-77</td>
</tr>
<tr>
<td>279,957</td>
<td>1977-78</td>
</tr>
<tr>
<td>162,054</td>
<td>1978-79</td>
</tr>
<tr>
<td>158,335</td>
<td>1979-80</td>
</tr>
<tr>
<td>162,024</td>
<td>1980-81</td>
</tr>
<tr>
<td>206,022</td>
<td>1982</td>
</tr>
</tbody>
</table>

It is revealed from the above statistics that the figures of arrest and prosecution have recently fallen. It is due to the government decision to establish aid-centres to deal with pass law offenders. A large number of offenders of pass-laws are now being 'referred' to the aid centres. Cases handled by these centres are not included in the

\textsuperscript{24} Apartheid, The Facts: Op. cit p. 94

\textsuperscript{25} Apartheid in Practice: Op. cit, p. 45
The extension of Pass-Laws of African women had been strongly resented by Africans. It is argued that it might lead to serious consequences for their families. Mothers of small children might be suddenly arrested. Husbands and wives might be arrested separately and expelled to their respective "homelands" which may be hundreds of miles apart. A mother may be "endorsed out" even though her child was born in the city; if she takes the child with her, the child loses the right to return to the city without special permission.

Thus, one of the most striking of the South African Racial Policy is the multitude of arrests and prosecution under the numerous laws and regulations which restrict the freedom of movement and residence of the African people. The restrictions are in total violation of Article 13 of the Universal Declaration of Human Rights. The said article provides that "every one has the right to freedom of movement and residence within the borders of each state".

To restrict the employer's freedom, Master and Servant Laws have been passed. According to these laws "the African will be criminal offender if he (a) refuses or fails to enter into service after having signed a contract of employment; (b) to leave his employment or fails to carry out the terms of his contract within lawful cause;(c)

to do or omit to do anything wilfully which is likely to cause injury to persons or property; (d) to neglect to perform his duty; (e) to render himself unfit for work through work or drugs; (f) to refuse to obey a lawful order or to use insulting or abusive language against his employer or supervisor (g) to take steps to change his job before the expiry of his contract.27

Thus, under the Master and Servant Laws, the employees were forced to lead a slave like. The employees, who had signed the contract of employment were strictly bound to the contract and they could do nothing against the interest of the employer.

One of the most significant aspects of the policy of 'Apartheid' was the determined effort to bring education under the government contract that segregated the educational system on the basis of race and tribe and train the non-whites for the inferior positions assigned to them by government policies.

A major step in this direction was taken in 1953 with the promulgation of the Bantu Education Act transferring responsibility for African Education (except higher education) from the provincial governments,

to the Central Government, and granting wide powers to the
Minister over both government and private schools.

In the sphere of education also, the Africans had
become a prey of South African Governments' policy of
apartheid. However, the government claimed that the
Africans had been provided full facilities for their
educational development. The total expenditure on African
education increased from 18.8 million in 1960-61 to 92.9
million in 1973-74 and that total number of African
children enrolled at school rose from 1.0 million in 1955
when Bantu Education Act came into operation, to 3.3
million in 1973.28 Calculations made by the South African
Institute of Race Relations reveal the following pattern
of governments expenditure on different races:

UNIT COST PER PUPIL (R)29

<table>
<thead>
<tr>
<th>Race</th>
<th>Cost (R)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Whites</td>
<td>282</td>
</tr>
<tr>
<td>Coloureds</td>
<td>73</td>
</tr>
<tr>
<td>Indians</td>
<td>81.02</td>
</tr>
<tr>
<td>Africans</td>
<td>15.97</td>
</tr>
</tbody>
</table>

29. Ibid. p. 31.
The above statistical figures show that the total expenditure on non-whites education specially on Africans in comparison to the whites was very low. The black children are not provided full facilities. Even their class rooms were badly equipped while the white children were provided full facilities interalia well equipped buildings and qualified teachers. But they i.e. qualified teachers and well equipped class rooms were not for the blacks while some white teachers were unemployed, blacks schools were desperate for qualified teachers. Black children crammed into badly equipped class rooms, while perfectly adequate white schools were underused or threatened with closure because of the declining white population. The fragmentation of the voluntary professional bodies made a mockery of claim made by professional. 30 Thus, the racial government provides restricted and inferior type of education to non-white people.

The government wanted to provide only elementary education to African people so that the natives were willing to be used as their servants and accept the white's superiority. Dr. Verwoerd, the Minister of Native Affairs, made it clear while explaining the objects of the Bantu Education Bill. He said:

"The aim of this law is to teach our children that Africans are inferior to Europeans. When I have control of native education, I will reform it so that -

30. Financial Mail 2.5.86 Quoted in ANC News Briefing Vol.10, 10.5.86, p.10.
Natives will be taught from childhood to realise that equality with Europeans was not for them... People who believed in equality were not desirable teachers for natives. It would not be the parents, but the Department of Native Affairs which would decide whether an African child should receive higher or other education. Higher Education might will be the privilege of those children whose families had a tradition of collaboration with the ruling class. 31

The statement revealed that the Africans were not free to get education according to their interest. Only those children had the right to get higher education whose families had full faith in government's policies. The black students were not taught about the policies of the government and how societies worked. They were purely ignorant of the politics. Southern African Report stated:

"Our education does not prepare us for governing our country. We are kept ignorant of how societies work. We are taught in racially segregated schools where we learn racism and other kinds of discrimination." 32


The black students were trained as future workers willing to accept any work for any wage. They were not taught the subjects of their own interests. The education, for them was only to trained as cheap labour and to convince them that they were inferior to Europeans. Explaining Bantu Education Dr. Verwoerd said

"What is the use of teaching the Bantu child Mathematics... There is no place for him above the level of certain forms of labour". 33

The South African Government forced the African people to use only mother tongue as the medium of instructions, whereas "African languages are not used in government, industry, commerce, in financial or professional circles". 34 The idea behind this was to reinforce the gulf between whites and blacks. An African student who attended even a single lecture in a course at the University of Cape Town without special permission from the Minister of Bantu Education was guilty of a criminal offence. 35

The Africans could not promote their education through their own efforts. They could not establish their own school because according to the law, such schools must be registered by the government and the Minister of Bantu

33. Ibid., p.10.
Education had discretion to refuse to register if he believed that its existence was not in the interest of Africans. Even the black students' facilities, teacher, pupil etc. depended on their racial classification. For example in 1983 the government spent R.1385 on each white child R 593 on each coloured child, R 192 on each African child. The ratio of students per teacher was 18 to 1 (Whites) 27 to 1 (coloured) and 43 to 1 (Africans).

The Natives were provided inferior type of education because the racist government realised that if the blacks were given the same education as was given to whites, the blacks would start claiming the same public offices and jobs that had been reserved only for the whites. If they were given such inferior type of education, they would not demand higher jobs and they would be prepared to do unskilled jobs reserved for them. So, the aim of the education was to make the Africans realise that there was no place for them in the European Community above the level of certain forms of labour. Education was opium for African majority to reduce them to a state of semi-slavery.

36. Ibid. p. 20
The racists abandoned the detested name of Bantu Education and re-named it the Department of Education and Training. It was possible only due to the countrywide uprisings of 1977. However, the essence of education for blacks was still racial and as long as apartheid existed, racial education would suffuse the minds of white educationists.

To strengthen the policy of Apartheid, the racial government passed the law which restricted the freedom of speech and expression. The objective of the South African Publications Central Board was to prevent the showing of any film which depicted white and black children sharing the same classroom or white and black adults dancing with one another or white and black men and women embracing and kissing one another even prevent the showing of any documentary film which expressed approval of racial integration or disapproval of discrimination based on race or colour. Even a white person would be offender if he told the Africans that racial laws were unjust and should be disobeyed and he would be punished by a fine of upto R.200 or imprisonment for one year or both. Under the existing laws, no publisher of a magazine or newspaper could publish the

39. Ibid.
photograph of a prisoner without permission. The
government had power to ban a particular newspaper of all
publications of a particular organisation which propogated
or served the cause of opponents of apartheid. Many
journals and newspapers had been forced to cease
publication as a punishment for their support to the ANC
nationalists. 41  
The Nationalist Party had extended the 'racial
policy' in employment also. The reservation in skilled
and higher paid professions for the whites was also an
integral part of the policy of apartheid. The Industrial
Conciliation Act of 1956 provided for the reservation of
occupations for particular racial groups. As the whites
monopolized political power, their interests were
permanent when there was competition among racial groups.
The non-whites could never be certain of being able to
utilize the skills they had acquired or sought to acquire.
Thus, the Africans were limited to unskilled and low-paid
occupations. They could never expect of being able to
utilise their skill.

The Africans were also deprived of the rights of
trade Unions. African trade unions could not be registered.
African workers were not permitted to strike. The

41. Frene Ginwala: "The Press in South Africa", Objective
strikers might be visited with repression, including penal action, mass dismissal. 42

The Idea behind this, was that the whites must be provided of the highest standards of living while the non-whites received only a fraction of white earnings. Thus the whites monopolized political power and enjoyed the whole freedoms like majority though they accounted for less than one fourth of the population.

Africans did not have freedom in religious matters also. No church could be established for Africans, in any town without the consent of the Minister of Bantu Administration Development. The same minister could also prohibit the attendance of Africans at any religious service in a town if, in his view, the presence of Africans on the road leading to the place where the service was being held was "causing nuisance" to residents in the area. He could also prohibit the attendance of Africans at a social gathering for members of a church held in any town, if in his opinion, it was undesirable that Africans should be present in the numbers expected on the premises where it was to be held.43

42. Anthony Lemon : Apartheid (Saxon House), 1976, p.222.
Apartheid was primarily an attempt to restructure the distribution of African labour for more effective exploitation and to cope with the often conflicting demands of the agricultural and mining industries and white workers. 44 If we examined the labour laws, we would find that like other spheres of life, the racist government had imposed discriminatory laws for the labourers. In 1964, Bantu Labour Act were passed and its aim was to entrench the migrant labour. The bill proposed inter-alia, to do away with any permanent residence rights in the urban areas for Africans who had not been born or resident in an urban area for at least ten years. 45 Behind this, the government's policy was to use Africans as a cheap labour force. The ideology of the government was that employing more Africans would mean more profit. To solve the demands of the white of the state protection through reservation the government searched for the most profitable way of exploiting African labour. First of all, the government set up special Bantu Labour Boards with the jurisdiction over all farm labourers, domestic workers labour tenants and with the right to determine the size and competition of the labour


45. 'Land Tenure Conditions In South Africa"Centre Against Apartheid, No. 37/76, Dec. 1976, p. 46.
force on farms. To restrict the employment chances for Africans, a record was kept in a central register. A.H. Vosloo: Deputy Minister of Bantu Development Wrote:

"A record of every registered Bantu farm labourer is kept in a central register at Pretoria and the position is that the labourer cannot be employed in urban areas because as soon as his service contract must be registered it will be established that he is a farm labourer and then he cannot legally be taken into service".

Inspite of this all the skilled jobs were reserved for the whites and unskilled for the blacks. At the end of 1978, the number of economically active persons in South Africa was 9,294,000 as follows:

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>African</td>
<td>6,353,000</td>
</tr>
<tr>
<td>Whites</td>
<td>1,861,000</td>
</tr>
<tr>
<td>Coloured persons</td>
<td>836,000</td>
</tr>
<tr>
<td>Asians</td>
<td>244,000</td>
</tr>
</tbody>
</table>

The above figure revealed that whites constituted less than 1/5 of the economically active population, even then, they occupied over 67% of the existing technical and

managerial posts average annual earnings (rands) by sector was:

<table>
<thead>
<tr>
<th>Sector</th>
<th>White</th>
<th>Black</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacture</td>
<td>7088</td>
<td>1638</td>
</tr>
<tr>
<td>Construction</td>
<td>7036</td>
<td>1380</td>
</tr>
<tr>
<td>Mining, Quarrying</td>
<td>8927</td>
<td>1093</td>
</tr>
<tr>
<td>Central Government</td>
<td>5278</td>
<td>1679</td>
</tr>
</tbody>
</table>

Thus, the Africans as a group were paid lower wages than coloured and Indian workers, with the lowest wages of all being paid to African Women. Wages in domestic service and agriculture were even lower. Though, the skilled jobs were reserved for whites, yet because of shortage of skilled labour, many Africans and Asians had been employed in formerly white occupations, but at much lower wages. For example, in railway workshops, white worker formerly received 80 cents an hour for cleaning rought castings which was considered a semi-skilled job. This work had been re-classified as "unskilled" and Africans were employed to do the job at 25 cents an hour. The government had adopted a policy of excluding Africans, coloured persons and Asians from many of the more highly paid skilled occupations. Various laws reserved the better jobs for whites. While whites made up only 18% of

the work force, they earned 64% of all income in South Africa, Africans, on the other hand, earned only 20% of all income, although they constituted 70% of the work force. The overall average income of whites was 12 times than that of African, 6 times than that of coloured workers and 4 times than that of Asians. Besides, there were discriminatory laws in economic security also. For instance, if a white worker was disabled, he was entitled a monthly pension based on his earnings. If he died as a result of an accident, his dependents got a lumpsum and a pension based on his earnings. But if a black worker was disabled, he was entitled a lumpsum based on his earnings and not a monthly pension. And if he died as a result of an accident, his dependents were not entitled to any monthly pension but only to "such lumpsum as the workmen's compensation Commissioner deemed equitable."52

The African worker was not free in the sphere of residence. A District Labour Officer could refuse permission to an African woman to live in area where her husband had been working for less than 15 years even though she might have got employment at the same place where her husband was residing. A Municipal Labour Officer could refuse permission to remain in the area to the son of an African who had worked in that area for the same

52. Ibid.
employer for less than 15 years, although the son had been offered employment at the place where his father worked. The employment contract of an African worker could be terminated by the Labour Office, even if his employer opposed the termination. After the termination of his employment contract, the African worker might be removed from the town he was working in and be prohibited from returning to that town for such period as the Labour Officer specified. The Bantu Affairs Commissioners might cancel an African's contract of employment whenever he considered his continued presence in any particular Bantu quarter to be undesirable. An African factory worker, who neglected any work, it was his duty to do, cannot only be dismissed but was also liable to a fine upto R 50 or imprisonment for three months.

Until 1973 it was illegal for African workers to go on strike for any reason. In 1973, the law was amended to allow Africans to strike under certain conditions but those conditions were so stringent that it was almost impossible for an African worker to go even on what might be impossible for an African worker to even on what might be described as "legally sanctioned strikes". An African

53. Ibid., p. 16
54. Ibid., p. 40
55. Ibid., p. 80
56. Ibid., p. 16
A factory worker who asked other workers to go on strike for an increase in pay was guilty of a criminal offence and therefore, was liable to pay a fine not exceeding R 500 or imprisonment for not longer than three years or both.\(^57\)

The living conditions of African workers were also very poor. They were not provided by any kind of facilities. No employer was permitted to establish a hospital for the African workers on a site adjoining the factory where they worked unless he had been permitted to do so by the Director of Bantu Labour. No African worker living in quarter provided for him by his employer was allowed to receive a visitor at any time, unless he had been granted permission to do so by his employer or by some authorised persons.

After examining the discriminatory laws, we had come to know the true picture of racist government's policy of apartheid. The African worker had to live a slave-like life. He was not free even in his personal life. He could not live freely with his wife or son. His services might be terminated at any time. He was not granted any type of service security and economic security in certain circumstances. In essence, they were not

\(^{57}\) Ibid, p. 15
provided any facility and they did not enjoy any freedom. They had to live on the mercy of the authority.

While examining the various apartheid laws imposed by the racist government to exploit and dominate the African population, some space must be given to describe the condition of African women and children. In fact, women were double victims of the policy, first on account of being women and then of black colour. The condition of African women, under apartheid was very critical. They had to face so many problems that their life became miserable and abnormal. They did not enjoy any kind of freedom in their life. An African woman had always to remain under the guardianship of man. In case of divorce, her father would be her guardian or if he was dead, guardianship reverted to her heir. Being minors, they had to live under the care and protection of some guardian. They could not travel anywhere without their guardian's permission. Nor could they own property save some personal assets. If they earned any money, their earnings were vested in their guardians. If and when the need arose, their earnings could be attached by the guardian's creditors. As workers, they were most exploited of the work force, As citizens they had the fewest rights, being

bound not only by repressive legislation but also by oppressive traditions that were fostered by the racist government. As workers, they were employed at the lowest wages. A large number of African women were employed as domestic servants. On an average, they got R 30 monthly for an average work week of 61 hours.

As a citizen, the policy proved to be a great curse for them because of the migrant labour system. They were deprived of their basic right that is to live with their husbands. The absence of men was an economic condition of a family's survival, but the absence of men also undermined the stability of the family as women were forced to shoulder virtually all family responsibilities. They would not lead any normal kind of family life. This was because, the males who worked in 'white areas' as migrant labour, could not carry their wives and children with them. The wives could go there only if they also had work permits and residential permits in their name. Often it happened that they got work in places other than the cities where their husbands were working. This resulted in their separation and break up of their families. In the absence of men, women took care of the management of household budget. In the bantustans as many as 60% of the


households were headed by women. Dependent on money sent by their men, they suffered constant anxiety and insecurity. Living as 'grass widows', as the majority of the men as migrant labourers who 'visited' home for not more than one month each year. They had to live in severe poverty. The situation had become so worse that some women talked like this. "We feel deserted. We feel lonely in this desolate place where many of our husbands must leave to find work, and stay away all year, sometimes many years... I do not hear from my husband for many months. The money has stopped coming...I am hungry. My children are hungry. No food, no money". 62

The above description depicts the true picture of apartheid system. The housewives under the policy, had to lead a miserable life and they were forced to lead an abnormal life. This was the cruelest aspect of the policy that they could not live with their husbands. Even after doing hard jobs they were not having enough food. They had to live a life under abject poverty and starvation. Not only the housewives but the employed women also had to face such problems.

After the Second World War the vast majority of women were employed as domestic servants and as farm

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62. Ibid.
workers. The stability of their families was also affected. Because in both of the service sectors, they had to live separately. For instance, if the wives worked in the same city where their husbands were working, they were forced to live separately because they could not live with their husband's quarters unless the quarters allotted to their husbands were married men's quarters. In domestic service, only those African women were employed to be a domestic servant only if she was willing to abandon her children to their fate. She could not keep her husband also. Many African women worked on farms and industries, but they were paid the lowest wages. In fact, wherever African women were employed in industries, in farms or in homes of white people, they were invariably paid less by the employer even when they held the same position and had identical qualifications and doing the same work.63

Thus, the above description of the condition of African women revealed that the system proved to be a great curse for them. They had to face the cruelest aspect of life separation of families under the migrant labour system. They were considered to be the meanest creature having no human rights.

Children were no exception to the policy of apartheid in South Africa. The condition of children was hardly better.

However, there existed a welfare system which operated through the children's courts. It was intended to provide for the general welfare and protection of children in South Africa. The Children Act 1960\textsuperscript{64} and the Child Care Act 1983\textsuperscript{65} laid a duty of care and support on the persons who had custody of a child. The children's court were expected to conduct an inquiry to determine whether or not a child was in need of care. If it was, he could order that child to be placed in care. One aspect of South Africa's Welfare system was that there was 'blatant recism' practised in the field of child care. White children were seen to have more institutions, better facilities, better staff and better conditions than their black counterparts.\textsuperscript{66}

Moreover, the poor diet and nutrition of black women meant that their children were born under the weight of poverty. Most deaths occurred in children under five years age. Poverty and malnutrition was the major killers of black children. As soon as a child was born, his race was determined by the certificate which set a seal on his future. It was predetermined whether he would be leading a life of opportunity or he would be leading a life of

\begin{itemize}
  \item 64. Act No.33 of 1960.
  \item 65. Act No.74 of 1963.
\end{itemize}
frustration and poverty like all black children. 67

A black child had no opportunity to play. There were very few schools, where black children could study. They did not have swimming pools, or fields for playing football and other ball games. They received an inferior standard of education in over-crowded and poorly-equipped schools. The state did not provide school places for every black child as it did for every white child. Public spending on white education was 15 times higher than on African education. 68 In many schools students had to sit on floors since there were no desks. Most black children had even to share text books. Many black children were obliged to work even when they were under sixteen, despite the fact that it was illegal to employ children under sixteen. Children were also employed illegally in factories and workshops, in mines, badly paid jobs. 69 Black children had little chance of pursuing higher education and of receiving some form of technical training. As a result of the "homelands" policy and the system of migrant labour, many children had to live in very over-crowded conditions. As labourer, the black children were not well-treated. There were frequent reports of brutality, beatings and even deaths. As a

68. Ibid, p. 36.
69. Ibid, p. 45.
result of migrant labour, many children had to live without love and care of parents. They were forced to go to white areas to take up some work. They were able to see their parents once a year and that too for a short time. There was a chronic shortage of housing throughout for the black community. Children living in the city failed to attain adequate standards of health, education and family care. The mortality rate for African infants was six times higher than the white because of poverty and inadequate health care.

In addition, there was the criminal justice system for children. It was provided for in the criminal procedure Act 1977 and was operated through Juvenile Courts. The Security Acts were also applied to children. They were not granted any special protection under there laws. A child even under the age of 14 could be detained by the security forces and subjected to the brutality of police. Under the emergency, in June 1986 it was estimated that 25,000 persons were detained and about 10,000 of these were children under the age of 18, of whom 8,500 were under 17. On October 15, 1986, the Minister of Justice said that 2,677 children under the age of 17 were being detained in prison, of whom 254 were

under the age of 15. In a survey conducted on 22 May 1984, it was found that there were fifty-seven sentenced Juveniles between the age of 15 and 17. They had also to face the brutality and torture of the police. They were subjected to severe beatings, kicking, tear-gasing and forced to painful exercises.

Thus, age was no consideration under the Security Acts. As such African Police said they could not allow arsonists or stone throwers to roam free just because they were youth. Their arrest was unavoidable.

While examining the Apartheid policy the question of health deserves special attention. The blacks had to faced discrimination in the sphere of health also. The medical facilities for blacks were inadequate. There were separate hospitals, clinics and dispensaries for the blacks. The health care was also based on discriminatory principles. While whites enjoyed long lives of comfort, Africans, especially in bantustans, carried an enormous burden of disease, disability and death. Malnutrition,

72. Ibid., p. 100
73. Ibid.
tuberculosis, measles, diptheria and many other diseases stalked the land striking down the people.\textsuperscript{75} In every respect and at all levels, health care for the masses was inadequate and inferior to that provided for whites. The most important difference was in respect of the services provided to the different racial groups. According to one Survey Physician Population: In South Africa was 1:400 for whites and 1:40,000 for Africans.\textsuperscript{76} The nurse/population ratio was 1:256 for Whites & 1:1581 for Africans.\textsuperscript{77} By the end of 1980 there were over 20,000 doctors in South Africa, giving a doctor to patient ratio of 1:350 amongst whites and of 1:90,000 amongst Africans.\textsuperscript{78}

The South African Government also practised discrimination as between blacks and whites in the sphere of medical training and medical education. Between 1951 and 1976 only 218 Africans qualified in South Africa, about 1% of the member of white doctors. In 1977, 601 whites, 65 Asians, 21 coloured, and 6 Africans qualified from South African Medical Schools.\textsuperscript{79}

\textsuperscript{75} Dr.B.Stevens :: 'Struggle for life: Apartheid and Health'. Quoted in Sechaba. Feb.86, p.8.  
\textsuperscript{76} 'Implication of Apartheid on Health Services in South Africa', Notes and Documents (New York, U.N. Centre Against Apartheid) No.18/17: June 1977. p.11  
\textsuperscript{77} Ibid.  
\textsuperscript{79} Ibid. p.2.
The above figure revealed that the white population which comprised less than one third of the total population was provided adequate health care. They were provided high quality medical facilities. The black hospitals suffered appalling overcrowding together with a severe and chronic lack of funds and trained staff.

Lack of Water led to skin diseases. Over-crowding in cities encouraged airborne infections like TB which in turn were taken back into the rural areas by migrant workers.

The discrimination in health was an outcome of apartheid system. In the name of separate development enormous number of black people were forced to live in homelands where no facility was provided to the people. Overcrowded location, lack of water supply and lack of sewerage disposal caused a number of diseases. They led an abnormal life under poverty and misery. In contrast the whites enjoyed long life full of luxury.

The Bantustan Scheme was a key part of the apartheid policy. This scheme was helpful to the racial government in the following ways. Prohibition for Africans to occupy no-Africans land in any manner. It was deemed contrary to the principles of apartheid. For it amounted to the reduction and eventual elimination of Africans pockets of land. Only 3 % of the health budget was
spent on preventive health care. The government also practised discrimination in salaries given to medical personnel. Ambulances for whites could not be used to transport non-white patients. Black doctors were not allowed to treat their patients in provincial hospitals if this would involve their being placed in a position of authority over white nurses. Human blood collected for transfusion should be labelled in accordance with the ethnic origins of the donors.

A health of Africans was the consequence of poor housing, poor sanitation and totally inadequate water supplies. Often modern sewerage disposal was non-existent. This had devastating consequences proliferating cases of infant health—diarrohoe and intestinal parasites. In conference entitled "Challenge to Apartheid Medicine" held in Durban in June, 1982, the students and doctors stated in their conclusion that cholera, tuberculosis and other related diseases in South Africa were directly linked with South Africa Government's policy of apartheid and separate development. Thus, policy of Apartheid provided adequate health care for whites, while impoverished and overcrowded hospitals and inadequate health care facilities were provided for the blacks.

80. Dr. B. Stevens, Op. cit.,
82. 'Women, Children and Families in South Africa' Op. cit,
This scheme was laid down in 1959, under the Bantu Self Government Act. A number of territories, inhabited by different Africans ethnic groups were established, with a system of so-called 'self-government'. Under this scheme, representation in the south African Parliament which had been granted to Africans, was abolished. The Minister of Bantu Administration and Development clarified it thus.

"This is our territory, and here there are only limited opportunities..... for Africans. In their homelands there are measureless and limitless opportunities for them"84. Thus the government promised Africans self-governments to be followed by full-sovereignty. But in fact, the homelands were isolated areas, separated from each other. For example, the Bantustan Kwazulu consists of 29 isolated districts, Bophuthatswana 19, Ciskei 17; and Transkei 2 districts. Transkei, with a population of about 2 million was formally governed by a Legislative Assembly in which 64 members were chiefs of Africans Tribes appointed by the authorities and 45 elected from among the local population... So no meaningful independence was possible or was intended for these fragmented 'states'. The Africans reservations or 'homelands', now occupied just 13% of the area of the country. The most developed parts

belonged to whites who comprised less than 1/5 of the population. Only 20 percent of the national income fell to the share of Africans.85

The goal of this policy was the removal of Africans from white areas. The African could stay there only in as much as their labour was needed by white employers. They could be citizens only of the 'homelands' to which they belonged. In 'Bantustans' the Africans were having no freedom. There were hardly opportunities for employment. They did not enjoy any freedom of expression. No African was allowed to obstruct or insult any officer, chief or headman in the lawful execution of his duties. Such person was guilty of an offence. Any person who uttered any word or did any act with the intended to promote feelings of hostility between Bantu and Europeans was liable to imprisonment for a maximum period of one year or to a fine, or both. The Africans were deprived to acquire land outside their reserves. The Bantu Homelands Development Corporation Act No.86 of 1965 authorized the minister to establish a 'development corporation' to plan and promote the economic development of Bantu Homelands. But, practically, it had limited powers. State President, as a trustee, was authorized to appoint, designate and remove them at will, all the shares being held by the South

85. Pyotr Manchkhia, Problems of Africa Today, (Moscow, Progress Publisher), 1979, p. 238.
African Bantu Trust. Thus, the State President controlled such corporations. 86

There was hardly adequate employment opportunities in 'Homelands': So, the blacks were forced to go to the white areas for obtaining employment. In reality, the blacks had to face injustice. Firstly, they were removed from the so-called white areas where they had been living for generations. Secondly, they were forced to go back to the 'white' areas from which they had earlier been forced to leave. Now, they entered the 'white' areas as migrant labour and prohibited to carry their families with them. This resulted in the breakup of the family. The women and children behind them had to lead a very hard life because of shortage of economic resources. Their husband's emoluments were too low to permit them to make any savings. Due to these hardships, the woman had to go to 'white areas' to work as domestic servants or as agriculture labourers. They could not carry their children with them or visit their husbands. They might work in the same area, but they could not live together.

Thus, the 'Bantustan Scheme' resulted in destruction of family life because due to this scheme, husband worked at one place and wife at another place while children and older members of the family were left to their fate in homelands. In the absence of the love and care of the parents, the children suffered from malnutrition and diseases due to the inadequate food and

86. Unit on Apartheid/10 op.cit. p.8.
health care facilities, in the "homelands". As Alan Baldwin writes: "Mass forced removals and the systematic breakup of family life constituted perhaps the most stark instance of political and economic servitude of black South Africans." The children were not provided adequate education, the education being under the control of the government. In 1957, Separate University Education Bill provided for the establishment of University Colleges for Bantu on tribal basis.

BANTUSTAN POPULATION

In 1971 the Bantu Homelands Constitution Act was adopted giving power to State President to give to each homeland self-government by proclamation. It was also declared that like Transkei, other 'Homelands' would also be given self-government. But there was no assurance of South Africans Citizenship and it was against the principle of self-determination. In 1978 the Minister for Bantu Affairs said, "If our policy is taken to its logical conclusion as far as the black people are concerned there will not be one black person with South African Citizenship". The above words revealed the real objective of the racist government. Its intention was to prevent Africans to enter the white zones for ever. Because according to

the Constitution of 'Independent Homelands' as soon as their so-called 'homelands' became independent constitutionally, they automatically lost their South African Nationality. They became foreigners in the country and treated as guest workers in the white zones. The above description of the 'Bantustan Scheme' showed that on the one hand, the racists were doing all they could do to dominate the Blacks and on the other hand, they suffered from the fear of the "homelands" which were large in area and population. For Bantustanisation had the effect of making Africans politically more active. They came to raise more and more demand of self-determination and right of decision-making in the 'homelands'. Because of these demands the racist government was forced to prevent the reservations to independent homelands. In essence, 'Bantustans' were a manifestation of the white minority's colonial domination over the indigenous non-white population.

The other major aspect of apartheid was its use to prevent attempts at amity among the various groupings. By far, the most important law in that area was the Group Areas Act 1950. It provided for the forcible separation of racial groups. Under this Act, provision was made for designating each urban area reserved for a particular group including Africans, Indians and coloureds.

The Group area Act forbade members of a particular group to occupy the area of another group. Thus it
enabled the whites to extend their ownership in areas where coloureds and Indian families had lived side by side. District six, had probably, as a single area, been the worst hit by the Group Area Act because of the estimated 8,000 families who lived in the area of District Six (Proclaimed white in 1966) fewer than 1,000 families remained. The rest had been uprooted and moved.\textsuperscript{89} Thus, Group Area Act was one of the cruelest and most unjust laws ever imposed on a voiceless people. It had broken families and ruined community life. The people had been forced to face so many problems. They were not provided any facility, neither freedom of speech, or of education and of work.

The facts and figures revealed that this act meant sufferings, humiliation, incurable wounds and deaths for the Africans. Thus, this act was enacted with the objective to restrict the African development and to allow the whites to draw on Africans for exploitation in urban industries. Under this Act the Union Government deprived all non-Europeans of their political and economic freedom. This Act proved the most cruel to the coloured people. The racist Government started to use brutal and inhuman measures to suppress the people. There had never been such an assault on property rights in the history of the country. Such measures inevitably brought with them all the aura and apparatus of the police state.\textsuperscript{90}

\textsuperscript{89} Nyawuza Die Groep Moer 'Onscoloured and Indians Hate the Group Area Act', Sachaba, Feb.1985, p.21.
\textsuperscript{90} Quoted in Apartheid in South Africa: Tyranny of colour by P.S.Joshi (Hind Kitab Ltd. Publishers, Bombay), 1960, p.89.
To strengthen and maintain the apartheid system, the racist government was constantly trying to resort to power. The Government had expanded for force and perfected her machinery of repression. For this purpose, a series of laws had been enacted which denied the Africans the rights and freedoms. It enabled the government to act against all individuals who dared to oppose the policy of apartheid and racial discrimination. The widest powers were derived by the regime from the so-called 'security law'. It used to come down heavily upon all people and organizations which were 'furthering' the aims of communism and terrorism', endangering the security of the state or the public place of threatening essential services. Various security laws had been enacted by the government which empowered the government to impose apartheid policy effectively. The weaponry of terror, deployed under the sanction of law reflected both careful planning and instant improvisation.

Suppression of Communism Act No.44 of 1950 unleashed the police to suppress dissent by linking opposition to apartheid with the furtherance of Communist actions. Public safety Act No.3 of 1953 authorised the declaration of emergencies by decree; Criminal Law Amendment Act No.8 of 1953 penalized political protest, including exercise of speech to change public policy and law; Criminal Procedure Act. No.56 of 1955, as amended in

which was passed in 1982 proposed uniform identity documents for all racial groups - whites, coloureds Indians and Blacks. There was a provision for employers and landlords. The latter had a duty towards the regime to make available the relevant identity documents and to report all those who did not possess the documents, to the Departments of Internal Affairs. The employers were also obliged to notify the government the identity of members and address of all workers. The amended bill further required citizens to report any change of permanent address to the Director General of Internal Affairs. It also allowed the state the right to exclude any individual or category of people from the provisions of the Bill. This Bill had been proved significant for the racial government. It gave controlling powers to the government increasing its powers over its citizens.

The brief survey of apartheid reveals that it had become a law covering all spheres and affecting the lives of different groups of people. The blacks were forced into a horrible situation. They were forced to live like slaves. They were living in such a so-called democratic country, where blacks had no authorized political voices.

Since parliament was supreme and no court could invalidate its acts, the government was armed with absolute powers. Inhuman laws were exposed on blacks and coercive measures adopted to implement such laws. Additionally various security laws had been passed to
implement the apartheid; such as the suppression of Communism Act, the Terrorism Act of 1967, the unlawful organization Act and the Riotons Assemblies Act, which increased the powers of the government.

The Apartheid policy pervaded in every field of life. Socially, culturally and politically, blacks were the victims of the policy. They were no more than the slaves. The policy was also deteriorating the economy of the country. Though, South Africa had a lot of property and natural resources the people were living under property because wealth of the country was enjoyed by the whites. The blacks got only 23 per cent of the National Income. But nothing could prevent the spirit of Nationality and liberty to express itself. Thus, people of South Africa were engaged in a struggle to end the practice of such a pernicious ideology of racism, which sought to define as inferior, as not fully human by virtue of their race. All this led to racial discrimination, racial oppression, domination and exploitation. So, apartheid was considered to be a great evil.

The Africans including children were forced to work from dawn to dusk on less than even starvation wages. It was estimated that some 2000 people were prosecuted daily for the slightest violation of these acts and a whole set of other barbaric regulations. In 1982 over 44000 people had been convicted under the supression of Communism Act.
1965 permitted detention for 180 days without trial.

Unlawful Organisations Act No.34 of 1960 empowered the State President to declare organisations unlawful and dissolve thereby proclamation publications and Entertainment Act No.26 of 1963 specified the freedom of the press as criminal offence where a newspaper strongly criticized apartheid as unjust. General Law Amendment Act No.37 of 1963 authorised the detention of persons without trial for repeated periods of 90 days. Terrorist Act No.83 of 1967 established the crime of terrorism so loosely defined as to leave the Government virtually a free hand to prosecute anyone if it so wished. It narrowed the right of (Habeas corpus) and substantially eliminated the defence of double Jeopardy: Ministerial orders under wide variety of laws forbade publication of information, seized papers and literature, denied and confiscated passports, prohibited re-entry into South Africa and instituted criminal liberal proceedings.  

**MIXED MARRIAGE ACT**

In fact, the first of the heartbreak laws was the prohibition of Mixed Marriages Act which was legislated in 1949, within a year of the Governing Nationalist Party coming to power. Despite Mixed Marriages being prohibited, the sexual relationships between the races continued. Then law forbidding inter-racial sex relations was passed. This law was known as Immorality Act. Consequently people had to lead abnormal life. They were...

93. Ibid.
deprived of their right to live together. Social order had also been disturbed. Many people committed suicide. The law blighted countless lives, several committing suicides as a way out of their anguish. Over 20,000 were estimated to have been prosecuted since 1957 under the section which prohibited such sexual relations of whom at least half were convicted. But some couples continued to live together in defiance of the vicious laws, with the ever present fear of prosecution. The couples were strictly watched by the south Africans Police. How vicious and immoral act this was when people even in their private life also. They were watched by the police from tree-tops through binoculars, photographing couples through windows, forcibly bursting into bed rooms, testing the temperature of bedsheets and dragging away couples at night to be examined by the district surgeon.

For imposing further restrictions and controlling the South Africa people, some draconian bills were introduced in 1980s. In 1983 the Racist Government introduced a new law to secure finger print of the country's 30 million people in an attempt to fight what it called "the total onslaught" against South Africa. The finger print bill was considered to be a move towards converting so called South Africa's Democratic State "into a police state". The population Regulation Amendment Bill

95. Ibid. p. 5.
Since 1981, mass protests and demonstrations against apartheid led to the conviction of 44,300 people, 8,200 among them were less than 18 years old. According to a study conducted at the University of Cape Town eight million men and women had been arrested or prosecuted under the Pass Law. 96

At the earliest stage of the defiance movement, the struggle was quite peaceful and based on constitutional methods. But the increasing brutality and oppression of the South African government forced them to think that such a policy could be eliminated only through armed struggle. After the Sharpeville incident in 1960, Africans launched an armed struggle. The end of Portuguese colonialism in April, 1974 and Soweto disturbances in 1976 fundamentally changed the situation in South Africa. The Mazambique and Angola became independent. The ANC leaders like Nelson Mandela showed the Africans a path of sacrifice. Now they no longer wanted reforms. The favoured full eradication of the apartheid system at any cost. They got full support of other countries and International Community. But the racist government did not pay heed to the voice of the public. The government ignored the fact that brutality could not prevent the spirit of liberty to express itself and Africans were more conscious of their rights and they were inspired with the spirit of nationalism. It had become clear that the Africans wanted full eradication of the

96. Ibid.
racist policy and they could not be stopped from fulfilling their objective. To strengthen apartheid as a full-fledged system, various laws had been passed which empowered the government to arrest people without trial. This led to the indefinite detention of thousands. Under such laws about 3,600 people had been detained without trial. The Terrorist Act of 1967 increased the number of prisoners. In February 1981, South African prison population stood at 1,04,622, about 38.4 per cent more than the jails could accommodate. It was estimated that about 450 political prisoners were served with life sentence on Robben Island. Several had died while in detention or after released from it. Others had come out paralysed or mentally broken. 97

The above description reveals that ruthless oppression and violation of human rights was the cornerstone of apartheid. The vast powers of the Police made every African suspect and they had to live with fear and terror every moment. Millions of children were starving to death in the region. In South Africa, military expenses were by far the largest component of the South African budget. Now the white government possessed the power to mobilize the weapons required of a police state. Thus, the devastating effects of apartheid on the human psyche could not be ignored. So, all Africans had

97. Ibid.
launched a movement to dismantle this vicious policy. They wanted to secure a government capable of removing the burdens of poverty and starvation, lack of jobs and homes, appalling education and health conditions etc. that were imposed by apartheid.

But the spirit of Nationalism among Africans was very strong. Moreover, the movement was so popular and well organized that it seemed impossible for the racist government to crush it. Whereas the government possessed modern weapons to suppress the blacks and continued its racial policy, the blacks were also developing their military strength. They had developed the skills of making petrol bombs and building barricades, as a result of which the routine foot patrolling had become impossible for the police. Due to this civil strife situation Mr. Botha adopted a policy of reforms, to be carried out stealthily and in a controlled fashion. The reformative measures reaffirmed the fact that in spite of all this, the Africans had begun to feel that they had to intensify the struggle for their survival. There was greater unity and co-ordination in their armed struggle. The workers had also intensified their struggle and threatened to boycott whites business unless the government lifted the emergency. This got world wide increased support to the workers. The students boycotted schools against discriminatory educational policy. It was continued
despite the imposition of emergency. International support for the liberation had been increasing. The International pressure on South Africa continued to mount.

To decrease domestic and international pressure for action against apartheid, the Pretetoria regime announced its intention to consider further so-called reforms to apartheid. In 1985, Tricameral Parliament was set up. P.W.Botha announced his intention to establish an "informal" 'unofficial' and advisory forum for Africans who were excluded from Parliament. He assured that the pass-laws would be reformed and the question of citizenship for Africans in the urban areas would be considered. Later on the racist regime repealed the prohibition of Mixed Marriages Act. But these changes were of no direct consequences because the pillars of apartheid still existed. The residents and schooling of the children were still governed by apartheid laws such law was Block Local Authorities Act of 1983 under which they were given the chance to have local government. A number of administrative and constitutional changes had been made but they were designed to divide the black community. But these changes offered the African majority nothing. The only positive element was that in order to present the outside world with a facade of democracy the

regime provided for elections under the new arrangements. The white government's reform strategy could not satisfy the blacks and a state of semi-governability prevailed in most of the African Townships. The future of white government seemed to be in danger. Parts of South Africa had become virtually ungovernable. The Government's reform strategy was in tatters.99 Furthermore, in a policy speech, P.W. Botha's intention was made clear. The so-called manifesto rejected the principle of one man one vote and political rights for blacks in a non-racial, democratic and unitary state. The blacks intensified their struggle and have to face more brutality and torture. Meanwhile the racist regime adopted aggressive attitude towards the neighbouring states. They alleged that the revolutionary elements were given military training in those states. In turn, the regime had to spend more on military built up, defence and security forces. According to a survey, the military forces for 1984-85 were as follows:—

<table>
<thead>
<tr>
<th>Total armed forces</th>
<th>83,400</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>44,696</td>
</tr>
<tr>
<td></td>
<td>21,490 were non-whites</td>
</tr>
</tbody>
</table>

The regime spent R 95,000,000 on intelligence services during the financial year 1985-86.102

99. Ibid., p. 9
100. 'Report of the Special Committee Against Apartheid' General Assembly Official Record, Supplement No. 22/A/40, 22 UN. 1986, p. 46
102. 'Report of the Special Committee Against Apartheid', op. cit,
Expenditure on military had been increasing, 1984-85 military spending went up by 21.4 percent over the 1983-84 figures to a record level of R.4279 billion, 1985-86 figures were increased by 8.1 percent to R.4,772 billion. 103

Moreover, the racist regime had to pay heavy price for the implementation of such laws. Though it was very difficult, if not impossible to say definitely because quantifiable cost benefit type assessment, had not been attempted in recent years and reliable data was not available. However, implementation of various laws of discrimination was made possible at price given below:-

(a) **Patrolling and Policing**: For example to keep pass or identity book which had been legalized under the pass laws, it was estimated that 20 checks were made of documents which were legally in order. It was estimated that R.11,501,160 was spent annually on such patrols and checks.

(b) It was estimated that in 1974-75, some R. 18,749,312 was expanded on imprisoning those suspected of pass law offences.

(c) The case of personnel involved in the judicial process of prosecution under the pass laws as being R.25 per hour during 1973-74 R.1,490,892 was spent on pass laws

103. Ibid.
prosecutions. The total capital cost including buildings involved in such prosecutions was about R.1,714,526 annually.

(d) It was estimated that some 511,163 Africans were prosecuted under the pass laws. R.3 had been spent each man hour. Some R.894,534 was involved in payment for man hours in making arrests and issuing summons regarding infringements of the pass laws. Further R.255,582 were spent on forms, training, personnel, vehicles and petrol, buildings involved in arresting and summons.

(e) Capital costs of providing passes and updating previously issued ones could be estimated at R.24,051,568 per year.

(f) The apartheid policy was based on migrant labour system. Issuing Labour contract documents cost R.20 per year per each migrant. Thus, some R.35,000,060 was spent annually on the work and fees associated with issuing, registering and updating contract labour documents. There were labour bureau in operation for the job. In addition some R.12,160,000 was expanded annually on operating the labour bureaux system.

(g) There were temporary emergency transit hostels and some houses for those Africans who could be immediately accommodated in a homeland. Some R.500,000 annually was spent on operating 10 transit camps.

The above figures reveal that a large proportion of capital had been spent on implementing apartheid and to preserve it. The regime had to spend a large amount on security forces. Moreover in implementation there was a loss of production also. For under the pass laws, prosecution and imprisonment were made on large scale which resulted in loss of productive hours. It was estimated that the nation lost some 1203 million man hours of work valued at some R.7,66,7445 during 1973-74 arising from pass law prosecution.

To conclude, it can be said that apartheid is a policy which is based on racial prejudice and racial discrimination. In every sphere of life the discriminatory practices are continued by the South African Government in the name of "Progress Through Separate Development". The policy is legalised as the term 'race' is legally defined and three racial groups whites, natives and coloureds are distinguished in the statutes. There are numerous statutes in South Africa which have been implemented to enforce the practice of apartheid. The natives are not free in any sphere of life. They do not enjoy any freedom such as freedom of expression, freedom of movement, to live and to work. The status of a person is determined by race. Because of apartheid policy, the political, social and economic system, of South Africa has degenerated. Politically the majority of the people have been excluded from the active
participation in politics. Socially, the blacks have been badly affected. They are not provided proper educational facilities for their development. They do not enjoy family life as they are scattered and they cannot keep their families where they work. In the name of protection of racial purity of white, they are deprived of the right to marry whom they like. The Bantustan scheme remains one of the strong pillars on which the apartheid policy rests. It forces the Africans to lead miserable life, like that of a slave and forced to work in white areas. Though the government boasts of granting independence to these Bantustans with Sovereign self government, the actual position is reverse.

The government aims at denationalizing the Africans is that even after getting independence they be treated as aliens in their own country. The Africans have to become cheap labourers having no freedom to express their resentment but forced to work according to the contract. The Africans are economically very poor in comparison to the whites. Despite the fact that they are in majority, an active working population, they are paid very low wages and have thus a small share in national income. In this way the blacks have been exploited in every sphere of life as a result of the apartheid policy which is found in its worst form. The opponents of this policy have to meet brutality, imprisonment and detention without trial.
The racist government builds up its military and police strength to preserve and implement apartheid policy. So it has to spend a large amount on patrolling and arresting opponents of the policy. Thus, it preserves the policy at the cost of production or economic development.

To sum up, it is an inhuman policy and to implement and preserve it, the African Government not only has to waste a huge amount but it adversely affects the economic growth. So, such a nefarious practice should be abolished as early as possible.